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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 4217 OF 2006

ABDUL KHALIQUE MOHD. HUSAIN PETITIONER

Versus

RAFIQUE AHMED MOHARRAM ALI & ORS.. RESPONDENTS

Mr. Anilkumar Patil for petitioner

CORAM:-DR. D.Y. CHANDRACHUD, J.

DATED:- 7/7/2006

P.C.

. The application for the impleadment of the brother of the tenant was only an attempt to delay the proceedings. In the suit filed by the landlord it is for the landlord to determine as to who should be impleaded as the defendant. The landlord takes the consequences.

2. There is no merit in the petition. It is accordingly dismissed.

3. It is clarified that this order will not preclude the petitioner herein from taking recource to such remedies as are available in law.